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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,512	11/26/2003	Sumitake Kobayashi	1734.1001CIP	6099

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EXAMINER
NGUYEN, HAI V

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/721,512	KOBAYASHI ET AL.
	Examiner	Art Unit	
	Hai V. Nguyen	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 February 2006</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>14-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>14-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>02/16/06</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the communication received on 03 February

2006.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03

February 2006 has been entered.

3.   Claims 1-13 are cancelled.

4.   Claim 25 is new.

5.   Claims 14-25 are presented for examination.

Specification

6.   The textual portion of the specification is replete with grammatical and idiomatic

errors too numerous to mention specifically. The specification should be revised

carefully.

7.   The applicant should use this period for response to thoroughly and very closely

proof read and review the whole of the application for correct correlation between

reference numerals in the textual portion of the Specification and Drawings along with

any minor spelling errors, general typographical errors, accuracy, assurance of proper

use for Trademarks ™, and other legal symbols ®, where required, and clarity of

meaning in the Specification, Drawings, and specifically the claims (i.e., provide proper

antecedent basis for "the" and "said" within each claim). Minor typographical errors

could render a Patent unenforceable and so the applicant is strongly encouraged to aid

in this endeavor.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

9.   Claims 14, 21, 22, 24 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

10.   Claim 14 recites the limitation "an assigning unit that assigns the request

processing unit to the multifunction machine based on the request, and sends a

completion-of-assignment notification to the multifunction machine, the completion-of-

assignment notification indicating that processing of the request is possible" in claim 14.

There is insufficient antecedent basis for this limitation in the claim.

11.   Claim 21 recites the limitation "processing requests by at least one of the request

processing units, the request being received from at least one of the multifunction

machines; assigning the request processing unit to the multifunction machine based on

the request, and sending a completion-of-assignment notification to the multifunction

machine, the completion-of-assignment notification indicating that processing of the

request is possible; and canceling the assignment of the request processing unit to the

multifunction machine when the request is not received within a predetermined amount

of time, and" in claim 21. There is insufficient antecedent basis for this limitation in the claim.

12.   Claim 22 recites the limitation " assigning a processing request to a usable multifunction apparatus among the multifunction apparatuses based on operation content of the request and transmitting a notification indicative of the assignment to the usable multifunction apparatus; and executing a function via the usable multifunction apparatus in accordance with the assigned request." in claim 22. There is insufficient antecedent basis for this limitation in the claim.

13.   Claim 24 recites the limitation " assigning a processing request to a usable multifunction apparatus among the multifunction apparatuses based on operation content of the request and transmitting a notification indicative of the assignment to the usable multifunction apparatus; and executing a function via the usable multifunction apparatus in accordance with the assigned request." in claim 21. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

14.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15.   Claims 1-90 are rejected under 35 U.S.C. 102(b) as being anticipated by **Yoshida** et al. U.S. patent # **6,130,757**.

16.   As to claim 14, Yoshida teaches substantially the invention as claimed, including

a server *(Fig. 1, copying machine 1 as server 1 or PC 3)* connected with a plurality of

multifunction machines *(Fig. 1, 1-6)* via a network, the server comprising:

a plurality of request processing units that process requests *(job requests)* received

from at least one of the multifunction machines *(Fig. 1, the client apparatus 4 reads and

send an image to the copying machine 1, col. 4, lines 30-51)*;

an assigning unit that assigns the request processing unit to the multifunction machine

based on the request *(Figs. 12-13; col. 3, lines 1-17)*, and sends a completion-of-

assignment notification to the multifunction machine, the completion-of-assignment

notification indicating that processing of the request is possible *(Figs. 11-13, Fig. 20, job

ID row 1; col. 2, line 22 - col. 3, line 17)*;

an assignment canceling unit that cancels the assignment of the request processing unit

to the multifunction machine when the request is not received within a predetermined

amount of time *(Figs. 11-13; col. 2, line 22 - col. 3, line 17)*; and

an information recorder that has multifunction connection information, the multifunction

connection information having information indicative of whether the multifunction

machine is in an operable state in linkage with the server, wherein the request is

received based on the multifunction connection information *(Figs. 11-17, connection tab

and registration tab; col. 2, line 22 - col. 3, line 17)*.

17.   As to claim 15, Yoshida teaches, wherein the completion-of-assignment

notification has information of a function, and the function is processable by the server

(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67).

18.   As to claim 16, Yoshida teaches, the server further comprising: a fax that faxes

image data *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line*

67);

wherein the request processing unit controls the fax and sends the image data received

from the multifunction machine when the request processing unit receives the request to

fax from the multifunction machine *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8,*

line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).

19.   As to claim 17, Yoshida teaches a recorder that records image data; wherein the

request processing unit records the image data received from the multifunction machine

on the recorder when the request processing unit receives the request from the

multifunction machine to record the image data *(Figs. 11-17, 20; col. 2, line 22 - col. 3,*

line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).

20.   As to claim 18, Yoshida teaches a utilizing situation recorder that records utilizing

situation information received from the plurality of multifunction machines, the utilizing

situation information being information how often each of the multifunction machines is

used; and a utilizing situation information transmitter that transmits, when any one of

nodes makes a request for transmitting the utilizing situation information, the utilizing

situation information back to said node having transmitted a transmission request *(Figs.*

11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55

– col. 15, line 25).

21.   As to claim 19, Yoshida teaches wherein the utilizing situation information

transmitter transmits the utilizing situation information to the node in accordance with a

predetermined schedule *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).*

22.   As to claim 20, Yoshida teaches a destruction detecting unit that detects a destruction of the information recorded on the utilizing situation recorder; a utilizing situation information managing unit that requests each of the multifunction machines to transmit the utilizing situation information when the destruction detecting unit detects the destruction, and again records the transmitted utilizing situation information on the utilizing situation recorder *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).*

23.   Claim 21 corresponds to the computer readable medium claim of claim 14; therefore, it is rejected under the same rationale as in claim 14.

24.   As to claim 22, Yoshida teaches a method of executing multiple functions using multifunction apparatuses connected to each other via a network, comprising: assigning a processing request to a usable multifunction apparatus among the multifunction apparatuses based on operation content of the request and transmitting a notification indicative of the assignment to the usable multifunction apparatus *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25)*; and executing a function via the usable multifunction apparatus in accordance with the assigned request *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).*

25.   As to claim 23, Yoshida teaches, wherein the server has information of each of the multifunction machines, and the information has at least one of a status of the

multifunction machine, a type of executable job, an address on the network, user

information and a type of connection *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col.*

8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).

26.   As to claim 24, Yoshida teaches a server connected with a plurality of

multifunction machines via a network, the server comprising:

a plurality of request processing units that process a request received from at least one

of the multifunction machines *(Fig. 1; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col.*

10, line 67; col. 14, line 55 – col. 15, line 25);

an assigning unit that assigns at least one of the request processing units to the

multifunction machine based on the request, and sends a completion-of-assignment

notification to the multifunction machine, the completion-of-assignment indicating that

processing of the request is possible *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col.*

8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25); and

an assignment canceling unit that cancels the assignment of the request processing unit

to the multifunction machine when the request is not received within a predetermined

amount of time *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10,*

line 67; col. 14, line 55 – col. 15, line 25),

wherein the server has at least one of option information, multifunction machine

connection information, non-self system linkage information, and intra self-system

registration address information, the option information is information of a function

executable by the server, the multifunction machine, the non-self system linkage

information is used when the server accessed another system, the intro self-system

registration address information is used when the server accesses intra self-system *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).*

27.   As to claim 25, Yoshida teaches a method of assigning a request to multifunction apparatuses, comprising: receiving a request having a content indicative of a function to be executed and determining usability of the multifunction apparatuses to execute the function based on analysis of the received request *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25)*; and assigning the request to an available multifunction apparatus among the multifunction apparatuses based on the analysis of the request and providing a notification indicative of the assignment *(Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25).*

28.   Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142

THONG VU
P.E.